

OVERSEAS FRIENDS OF BJP-USA  
FARA INITIAL REGISTRATION  
EXHIBIT C

FOX &amp; FOX

ID:201-597-0884

MAR 05 '97

10:27 No.005 P.04

INN.  
**FILED**

312822

**CERTIFICATE OF INCORPORATION****MAR 12 1997****OVERSEAS FRIENDS OF BJP - USA**  
a New Jersey Nonprofit Corporation**LONNA R. HOOKS**  
**SECRETARY OF STATE**

1157087

The undersigned person, being over the age of eighteen (18) years, acting as incorporator of a corporation under the New Jersey Nonprofit Corporation Act, as set forth in Title 15A of the New Jersey Statutes, hereby executes the following Certificate of Incorporation for such corporation:

**Article I**

The name of the Corporation is **Overseas Friends of BJP-USA**, a New Jersey Nonprofit Corporation (the "Corporation").

**Article II**

The Corporation is a nonprofit corporation. The Corporation shall be organized and operated exclusively for the following purposes provided that they are charitable, educational and scientific purposes as are within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future federal tax code:

(a) The specific purpose for which this Corporation is formed is to foster a cordial relationship between Asian American and North American people, by establishing direct communication channels with local ethnic and national media, and organizing regular seminars on topics of mutual interest.

(b) To create a think tank of mature, experienced and intelligent individuals of Indian origin in order to utilize their expertise and wisdom to generate new ideas which could be beneficial for the Asian Indian community in North America and the people of India.

0100700719

(c) To work towards strengthening social bonds among Asian Indians, irrespective of region, religion, race, creed and color, and help generate a feeling of oneness and brotherhood.

(d) To work towards projecting a positive and correct image of India and its people in the U.S. and foreign media, and correct any distortions in the media's reporting of current events taking place in India.

(e) Engaging in various fund raising activities to support the Corporation's activities and objectives.

(f) To conduct any other activity incidental to or connected with the foregoing purposes or in the advancement thereof, but not for pecuniary profit or financial gains of the members, officers, or organization.

### Article III

The Corporation shall have perpetual duration and shall have members. Qualifications of membership shall be set forth in the Bylaws. The rights and limitations of the different classes of members will as set forth in the Bylaws.

### Article IV

The street address of the initial registered office of the Corporation is 41 Drexel Terrace, Spotswood, State of New Jersey, 08860. The name of its initial registered agent at such address is Mr. Madhu Upadhyay.

### Article V

The powers of this Corporation shall be exercised, its property controlled, and its affairs conducted by a Board of Trustees. The number of Trustees of the Corporation shall be fifty (50);

FOX &amp; FOX

ID:201-597-0884

MAR 05 '97 10:28 No.005 P.06

provided, however, that such number may be changed, but not less than three (3), as set forth in the Bylaws of the Corporation.

The initial Trustees shall serve for a term of one (1) year until the next annual meeting of the board and until the election and qualification of their successors. The method of electing Trustees shall be set forth in the Bylaws. Annual meetings shall be held at 10:00 a.m. on the second Monday in March of each year at the principal office of the Corporation, or at such other place or places as the Board of Trustees may designate from time to time by resolution.

The names and residential addresses of the persons who are to serve as the initial Trustees are:

<u>Name</u>	<u>Address</u>
Dr. Dinesh Agrawal	2500 Buchenhorst Rd State College, PA 16801
Dr. Mahesh Gupta	9480 Pats Point Dr Carona, CA 91719
Mr. Arish Sahani	54-15 108 St Corona, NY 11368
Mr. Madhu Upadhyay	41 Drexel Terrace Spotswood, NJ 08860

#### Article VI

The name and street address of the incorporator is as follows: Mr. Arish Sahani, 54-15, 108 Street, Corona, NY 11368

#### Article VII

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its trustees, officers, or other private persons, except that the Corporation shall

be authorized and empowered to pay reasonable compensation for services rendered to the Corporation and to make payments and distributions in furtherance of the purposes set forth herein. No substantial part of the activities of the Corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision in this Certificate, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future federal tax code, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code of 1986, or the corresponding section of any future federal tax code.

#### Article VIII

Upon the dissolution of the Corporation, assets of the Corporation shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by the Superior Court of New Jersey, Chancery Division, exclusively for such purposes or to such organization or organizations, as the Court shall determine, which are organized and operated exclusively for such purposes.

#### Article IX

FOX &amp; FOX

ID:201-597-0884

MAR 05 '97

10:30 No.005 P.O

Amendments to this Certificate of Incorporation may be proposed by a resolution adopted by the Board of Trustees and presented to a quorum of Trustees for their vote. Amendments may be adopted by a vote of at least two-thirds of a quorum of Trustees of the Corporation.

#### Article X

The Corporation shall indemnify every corporate agent as defined in, and to the full extent permitted by Section 15A:3-4 of the New Jersey Nonprofit Corporation Act, and to the full extent otherwise permitted by law. Neither the amendment or repeal of this Article X, nor the adoption of any provision of this Certificate of Incorporation inconsistent with this Article X, shall eliminate or reduce or protection afforded by this Article X to a corporate agent in respect to any matter which occurred, or any cause of action, suit, or claim which accrued or arose prior to such amendment, repeal or adoption.

#### Article XI

No Trustee or officer of the Corporation shall be personally liable to the Corporation or to any of its members, if any, for damages for breach of any duty owed to the Corporation or to its members, except that such provision shall not relieve a Trustee or officer for liability for any breach of duty based upon an act or omission (1) in breach of such person's duty of loyalty to the Corporation or its members, (2) not in good faith or involving a knowing violation of law, or (3) resulting in receipt by such person of an improper personal benefit. Neither the amendment or repeal of this Article XI, nor the adoption of any provision of this Certificate of Incorporation inconsistent with this Article XI, shall eliminate or reduce the protection afforded by this Article XI to a Trustee or officer of the Corporation in respect to any matter which

occurred, or any cause of action, suit or claim which accrued or arose prior to such amendment, repeal or adoption.

### Article XII

The Corporation shall have all of the powers granted to nonprofit corporations by the laws of the State of New Jersey, as amended from time to time.

I, the undersigned, being the incorporator of this Corporation, have executed this Certificate of Incorporation on the 6 day of MARCH, 1997.

By: Arish Sahani

Arish Sahani

AVERT INC

# **CONSTITUTION AND BYLAWS**

## **OVERSEAS FRIENDS OF BJP - USA**

355 Shawn Place,  
North Brunswick, NJ 08902-2109  
Phone (732) 951-8222



## **CONSTITUTION AND RULES OVERSEAS FRIENDS OF BJP - USA**

### **ARTICLE I: NAME AND TERRITORY**

1. The name of the organization shall be “**Overseas Friends of BJP - USA**” (hereinafter referred to as (‘OFBJP’).
2. The operation of the OFBJP shall be throughout the United States of America.

### **ARTICLE II: OBJECTIVES**

1. To promote the philosophy of ‘**Integral Humanism**’ as propounded by Deen Dayal Upadhyaya.
2. To foster a **cordial relationship** between People of Indian Origin and American people, by establishing direct communication channels with local ethnic and national media, and organizing regular seminars on topics of mutual interest.
3. To create a **think tank** of mature, experienced and intelligent individuals of Indian origin in order to utilize their expertise and wisdom to generate new ideas that could be beneficial for the Indian American community and the people of India.
4. To work towards **strengthening social bonds** among Indian Americans, irrespective of region, religion, race, creed and color, and help to generate a feeling of oneness and brotherhood.
5. To strive towards **projecting a positive and correct image of India and its people**, in the global media, and correct any distortions in the media's reporting of current events taking place in India.
6. To conduct any other activity incidental to or connected with the foregoing purposes or in the advancement thereof, but not for the profit of the members or the officers of the OFBJP.
7. The OFBJP shall exercise all powers as enumerated in Section 202, Not for Profit Corporation Law, as stated in the Business Corporation Law.
8. OFBJP shall establish and maintain ideological relations with Bharatiya Janata Party of India. OFBJP shall follow the guidance of BJP and input it in thinking and the implementation of various socio-political issues in order to further OFBJP’s objectives.

### **ARTICLE III: SCOPE OF ACTION AND OPERATION**

In furtherance of the above objectives, the OFBJP may:

1. Open local/state chapters in United States of America wherever and whenever needed or possible.
2. Arrange talks, seminars, symposia, press conferences, public meetings/rallies, internet activities and other programs on issues pertaining to India and Indo - American cooperation and culture.

3. Publish books, pamphlets, journals, newsletters/papers and use any available print and electronic media including Internet; acquire literature; arrange cultural and social exhibitions, display motion pictures or video programs, and organize musical performances.
4. Issue appeals to raise funds for natural calamities and related disasters. Collect money by way of memberships, contributions, grants and any other lawful means or methods. This money shall be used solely for organizational purposes.
5. Use electronic, optical, print, audio and video media, and computer network to distribute and collect public information.
6. Engage in any other lawful and/or moral activities.

#### **ARTICLE IV: MEMBERSHIP**

1. **Eligibility Requirements:** Any person of Indian origin can become a member of OFBJP provided he/she meets the following eligibility requirements. The individual must

- A. Be above 18 years of age
- B. Be aligned with the ideology and principles of OFBJP
- C. Pay the membership dues as defined in the Bylaws
- D. Obtain endorsement on his/her membership application from at least two NC members
- E. Agree to abide by the OFBJP Constitution and discipline

2. **Membership Categories:**

*Honorary Members:* The national executive committee can grant an honorary membership to any deserving person for outstanding contributions in furthering the aims and objectives of the OFBJP. These members shall not be required to pay the membership dues and will not have any voting rights.

*Life Members:* Those who satisfy the eligibility requirements and pay the subscribed amount as specified in the Bylaws.

*Active Members:* Those who satisfy the eligibility requirements and pay the subscribed amount annually as specified in the Bylaws.

*Primary Members:* Those who satisfy the eligibility requirements and pay the subscribed amount annually as specified in Bylaws.

*Associate Members/Senior Citizens:* Those who satisfy the eligibility requirements and pay the subscribed amount once as specified in the Bylaws.

*Student Members:* Those who satisfy the eligibility requirements and pay the subscribed amount once as specified in the Bylaws.

3. **Members' Voting Rights:** The Life Members and the Active Members of the OFBJP shall be eligible to vote for the elections of National Council after two full consecutive years of membership. The membership year will be considered a full year if the membership dues are paid on or before March 31 in that election term year. Ex: If an Active member pays the dues by March 31<sup>st</sup> of 2010 for the year 2010 membership, that Active member is eligible to vote in 2011 provided his/her renewal is paid by March 31<sup>st</sup> of 2011.

4. **Approval of Membership:** An eligible person as determined above should be admitted to the organization only by affirmative approval of concerned one senior most Zonal member of National Council and one senior most concerned Zonal member of National Executive Committee. If the applicant is determined to be unsuitable for the organization's goals and objectives, membership shall be denied.
5. **Termination of Membership:** The membership of a member may be terminated by a majority vote of the National Executive Committee following a due procedure as specified below, for his/her actions, which are detrimental to the aims and objectives of the OFBJP. The due procedure for terminating a member's membership is (i) a show cause notice shall be issued to the offending member by the disciplinary committee, (ii) an opportunity to present his/her case to the disciplinary committee shall be provided within a specified time. After such a hearing or submission of the defense, or in case of no-response from the offending person, the Committee shall take an appropriate action including suspension, reprimand or termination of the membership. However, the offending member will have the right to take up the matter to National Advisory Board and request reconsideration of his/her case.

## **ARTICLE V: ORGANIZATIONAL STRUCTURE**

The organizational structure of the OFBJP may consist of the following components:

1. National Council
2. National Executive Committee
3. National Advisory Board
4. National Functional Committees
5. Zonal Committees
6. Area Coordinators (States and cities)

## **ARTICLE VI: NATIONAL COUNCIL**

THE NATIONAL COUNCIL (NC) shall be the representative body of the OFBJP having representatives of zones structured geographically to cover areas of Indian population in the USA (refer to ARTICLE IX (3)). The OFBJP members as defined in Article IV shall be eligible to vote for the representatives of the NC. The NC is the Policy Making body approving the general directions of the organizational work with the help of the National Executive Committee (NEC) as defined in Article VII.

The National Council shall have one (1) NC member per five (5) Active Members from each zone. The National Council shall have a reasonable and operational representation (at least 2 members) in NC from each zone. Each Zone cannot have more than 15 members.

1. The National Council may consist of:
  - i. **National President:** The executive head of the organization.
  - ii. **The President-Elect:** Will act as Executive Vice President
  - iii. **Vice Presidents:** Will represent various zones.
  - iv. **National Organizing Secretary:** Will be responsible for the execution of various programs, organizing meetings, and expansion of the organization.

- v. **General Secretaries:** One General Secretary for each Zone and/or as felt necessary for various assigned tasks.
  - vi. **Joint General Secretaries:** One for each zone to work with the respective General Secretary.
  - vii. **Secretaries:** One for each zone and for an assigned task.
  - viii. **National Treasurer:** Will be responsible for managing, maintaining, and reporting the OFBJP money and bank account matters.
  - ix. **Joint Treasurer:** Will assist the National Treasurer
  - x. **Members:** Up to 75 (including the officers)
  - xi. **Special Invitees:** With no voting rights
  - xii. **Past Presidents:** Will be automatic NC member with voting rights.
  - xiii. **Members of National Advisory Council:** With no voting rights
- 2. Eligibility:** Only a person who has been an active member of the OFBJP for at least two years (One full term) consecutively by that election year shall be eligible to be a member of the National Council, and only an active member who has been a member of the National Council for at least two years (One full term) shall be eligible to be an officer of the National Executive Committee. Past Presidents are eligible to be an officer of the National Executive Committee. No OFBJP officer of the National Executive Committee shall hold any office in any other like-minded or similar organizations during the period he/she is the officer of the OFBJP.

**3. Election of the President-Elect:**

- i. The newly elected National Council shall elect the first President by majority vote.
  - ii. The newly elected National Council shall elect President-Elect as outlined in the By laws.
  - iii. A member can be nominated for the post of President Elect only if he/she has served for at least one full term as an officer of the National Executive Committee in the past.
  - iv. For 2008 thru 2009 President, President-Elect, National Council and NEC members can be appointed by consensus as long as the appointed members fall under the agreed guidelines. President-Elect will become President of OFBJP for 2010 - 2011 term.
  - v. In 2009, President-elect will be elected for the 2010 -2011 term and that person will become President for 2012-13 and so on so forth.
- 4. Election of the National Executive Committee (NEC):** The President shall constitute the new NEC from the National Council (NC) members based on the eligibility of the member to be appointed as per the Bylaws. Each member of the National Executive Committee should be ratified by simple majority of the NC members.
- 5. Procedure for the Election of President-Elect:** (Refer to Bylaws)
- 6. Term:** The term of the President shall be for two years.
- 7. Disqualification:** An officer of the National Executive Committee shall no longer be a member: (i) on resigning from his office by giving a notice of at least six weeks in advance; (ii) on his becoming incapable by reason of physical or mental disability or infirmity; (iii) on his absents from two consecutive meetings of the National Executive Committee without

obtaining prior permission from the National President; (iv) on his primary residence being moved to a place outside the OFBJP's territory of operation.

#### **ARTICLE VII: NATIONAL EXECUTIVE COMMITTEE (NEC)**

It shall consist of the following:

President, President- Elect, Vice Presidents, Organizing Secretary, General Secretaries, Joint General Secretaries, Secretaries, Joint Secretaries, Treasurer, Joint Treasurer, National Advisory Board and Immediate Past-President.

National Executive Committee shall have the authority to make the decisions on all organizational matters.

#### **ARTICLE VIII: NATIONAL ADVISORY BOARD**

The Board may consist of up to five members, who will be appointed by the National President in consultation with the National Executive Committee. They may be senior leaders of OFBJP and/or leaders from like-minded organizations. The Board shall be available for advice, whenever approached by NEC, to the organization in its smooth functioning. A Board member shall not hold other office in OFBJP.

#### **ARTICLE IX: ZONAL CHAPTERS**

1. The entire territory of operation of the organization may be divided into five zones; for example Northeast (ME, NH, VT, MA, RI, NY, NJ, PA, DE, MD, DC, VA, WV), Southeast (FL, AL, GA, MS, NC, SC, TN), South (TX, AR, LA, OK), Midwest (IL, IA, IN, KY, MI, MN, MO, NE, OH, WI), West Zone (CA, AK, WA, OR, NV, HI, AZ, CO, ID, MT, NM, ND, SD, UT, WY). Each Zone shall be looked after by a Vice-President and/or General Secretary as assigned by the National President and approved by National Executive Committee.
2. Local chapters may be opened in any State at the request of enough members. Local Coordinators or conveners may run the local chapters under the guidance of respective Vice-President and/or General Secretary, and the President.
3. To be qualified as an official local chapter, the chapter should have a minimum of 5 members (active or primary).

#### **ARTICLE X: NATIONAL FUNCTIONAL COMMITTEES**

The National Executive Committee may constitute several national committees, as it deems necessary for achieving the aims and the objectives of the OFBJP, smooth functioning of the organization, and carrying out other activities. Some areas for which committees may be formed are listed below but not limited to:

1. Legal and Constitutional Affairs
2. Membership
3. Finance and Budget
4. Fund Raising and Budget

5. Internet Activities
6. News letter
7. Research and Analysis
8. Media Watch and Response
9. Program Implementation,
10. Indo-US Relation Developmental Programs
11. NRI/PIO Affairs
12. Ethics, bylaws and Grievance
13. Physicians cell
14. Youth Cell
15. Women cell
16. Government Relations
17. Public Relations
18. Disciplinary Committee
19. Other as deemed fit

#### **ARTICLE XI: AMENDMENTS**

The Constitution can be amended, altered and added to by the National Council only by a two-third (2/3) vote of all the ballots cast, and participation by a minimum of two-third (2/3) of the NC members.

#### **ARTICLE XII: DISSOLUTION**

The OFBJP either can merge or join another organization having similar or same ideology, or can be dissolved by a two-third (2/3) vote of the National Council, and participation by a of two-third (2/3) of the NC members.

## **BYLAWS OF OVERSEAS FRIENDS OF BJP - USA**

### **I. Official Year**

For the purpose of membership dues and the term of committee members, the official year of the OFBJP shall commence on 1st January and end on 31st December each year.

### **II. Management of the Funds:**

The central office shall manage all funds collected by means of membership dues or donation or any program management. If any local chapter needs funds to organize a program, a request should be submitted to the national treasurer and upon approval from the President, respective vice-president and/or general secretary, reasonable amount can be released.

Bank accounts in the name of OFBJP for the National office may be opened at the request of the National Executive Committee and will be operated under the signature of three persons (including the treasurer) assigned by the committee.

### **III. Meetings of the National Council and National Executive Committee:**

There shall be regular meetings (at least one per year) for the entire NC and teleconferences (at least once every month) of the National Executive Committee to transact the following business:

1. To plan forthcoming programs/activities;
2. To report the progress made in various ongoing activities;
3. To discuss and sanction the budgetary matters;
4. To pass the annual accounts;
5. To discuss and appoint various people for upcoming events;
6. To transact such other business as may be brought forward, with the consent of the presiding authority.

The President, or the President-Elect, or in their absence, one of the Vice-Presidents shall preside over the meetings, or in the absence of all these officers, any other member or the Organizing Secretary may be elected to preside over the meeting.

The NC members shall be notified of the details (date, venue and agenda) of any National Council meeting at least 4 weeks in advance. There will be a quorum of one-third (1/3) of the total members of the NC.

All decisions of the National Executive Committee shall be taken by a simple majority vote except while voting for Amendments in the Constitution (see article XII). Participation of at least 50% of the members shall be ensured. The presiding authority shall have a casting vote in the case of a tie.

#### **IV. Powers and Functions of the National Council:**

The National Council shall manage, control and direct the OFBJP with a view to achieve its aims and objectives. Its specific powers and functions shall be:

1. To conduct fund raising campaigns through contributions or memberships, and look after and manage the funds of the OFBJP, and to spend money on various activities to promote the aims and objectives of the organization.
2. To appoint any other committee or sub-committee when necessary and invest it with the powers, as it may deem fit for that specific purpose.
3. To approve or reject admission to membership application, and to accept resignations.
4. When needed to make and repeal or alter or add to the Bylaws and guidelines made by it as to the management of the OFBJP and the affairs thereof - provided that these changes shall not be inconsistent with the aims and objectives of the organization.
5. To select and approve banks or other financial institutions for opening the accounts for the OFBJP.
6. To direct the activities of the various chapters of the OFBJP and to do all such acts and things as are incidental or conducive to the attainment of the aims and objectives of the OFBJP.

#### **V. Duties and Powers of the Officers of the National Executive Committee**

##### ***PRESIDENT:***

- 1) The President shall be the Chief Executive Officer of OFBJP and shall perform all duties incident to the office of the president and such other duties as may be designated by the National Executive Committee.
- 2) He/She shall preside at all the meetings of the National Executive Committee/NC.
- 3) He/She shall make such appointments as are required or authorized by the Constitution.
- 4) He/She shall try to visit most of the chapters during his/her tenure.
- 5) He/She shall be the primary correspondent and spokesperson of the organization
- 6) He/She shall approve the outgoing communications in consultation with the NEC members

##### ***PRESIDENT-ELECT:***

1. The president-elect shall assume the responsibilities of the President in his/her absence due to any reason.



2. He/She shall be actively involved in the administrative function of the organization and shall carry out duties assigned to him/her by the president. He will presume the role of Executive Vice President.
- 3.) He/She shall be assisting the President in the execution of programs.

**Vice Presidents**

- 1) Shall carry out the responsibilities and exercise such powers as directed by the National Executive Committee, and one of them may preside over the meetings in the absence of the President or President Elect
- 2) Shall be responsible for the smooth functioning of the organization in their respective zones.
- 3) Shall coordinate with the NEC members, and Chapter coordinators from their respective zones.

**.Organizing Secretary's duties will include:**

- 1) Rendering assistance to the National President in implementing and executing various decisions,
- 2) Convening the meetings of the NEC (and arrange periodic tele-conferences) as per the instructions of the President, to issue agenda, to organize the meetings,
- 3) Execution of the decisions taken by the NEC, and to conduct periodic visits of the chapters for the expansion of the organization.
- 4) To communicate organizational matters to all members.
- 5) To ensure that the OFBJP officers and the members abide by the rules and function within the spirit of the Constitution and Bylaws.

**General Secretary's duties will include:**

1. To convene the meetings of the respective Zonal/State chapters, issue agenda, organize the events
2. Execution of the decisions taken by the Functional Committees.
3. To enroll new members and grow the organization.
4. To maintain their respective Zonal/State chapter records and authenticate and certify the minutes of the meetings and the proceedings, to organize programs, symposia, etc.
5. To ensure that the OFBJP officers and the members in their respective zones and chapters abide by the rules and function within the spirit of the Constitution and Bylaws.

**Joint-General Secretary's duties mainly include**

1. Assisting the respective General Secretaries in carrying out various tasks assigned to them.
2. Will assume the role of General Secretary in his/her absence.

**Secretaries** shall perform various functions and duties of the organization as authorized by the President, and help the Organizing/General Secretary in carrying out his/her duties.

**Treasurer:**

1. Shall be in charge of the bank passbook, check books, etc. and shall maintain proper vouchers and/or cancelled checks for all expenses.
2. Shall be responsible to keep and maintain books of accounts of OFBJP current and up to date. Such books of accounts shall be kept available for the inspection by the NC.
3. Shall be responsible to file all Federal, State and Local tax returns on time. For this purpose he shall have the powers to oversee financial activities and collect the financial data, as he deems proper from each Local Chapter.
4. Shall have the OFBJP records audited, every two years by an independent, professional auditor.
5. Shall prepare Annual Financial Report and release to general membership via appropriate media like US mail or Email.
6. Shall distribute Quarterly Financial Report to NC/NEC.
7. At the beginning of the working year (January 1<sup>st</sup> of the year), the Treasurer shall prepare and send invoices for the annual dues to each member.
8. Shall make sure that each member pays dues in a timely manner.

**VI. Membership and dues**

**Life Member:** A one time payment of one thousand dollars (\$1000) or payment of \$500 in two installments over consecutive two years

**Active Member:** Annual subscription of one hundred dollars (\$100) and renewal fee of \$10 for subsequent year. If the Active Membership is not renewed in any subsequent year, or any lapse of renewal for a particular year, the member loses his/her active membership. Upon rejoining that member will be treated as a new Active Member and will pay fee of \$100.  
All National Council members shall pay minimum of \$100 to maintain their active membership.

**Primary Member:** Annual subscription of twenty five (\$25) dollars or as determined by the Zonal chapter but less than the dues for Active membership

**Honorary Member:** No dues, but should follow the Constitution and Bylaws.

**Associate Member /Sr. Citizen:** A subscription of one-time payment of \$10 only. An Associate member has no role in the organizational matters but, subscribes to the OFBJP communications. An Associate member/Sr. **Citizen** can upgrade to any other category of membership by paying prescribed dues

**Student Member:** A subscription of \$1 only once for the duration of their student status.

These dues can be revised by NEC as and when necessary. All membership dues must be received to the head office by March 31 of that year.

**Special Invitees:** The category of special invitees is provided for those persons who have served the organization in the past, and/or whose services and experience are considered helpful for the cause of the organization. Such persons shall be identified and included in the National Council, with the majority vote of the office bearers, but they shall not have any voting rights.

The National Executive Committee shall have power by a vote (by email) of two-third (2/3) of the members to remove the name of any member from the roster of the OFBJP members, if it considers in its absolute discretion that the membership of such a person is detrimental to the interest of the OFBJP, provided that reasonable opportunity for being heard in defense of his/her conduct has been provided.

## **VII. Election process for the National Council members**

The term of the national council members is for two years. The NC members from each zone shall be elected by the members of each zone as per Article VI of the Constitution.

- i. **Election Committee (EC):** The Election Committee shall consist of three (3) members of the National Council and National coordinator appointed by the NEC in consultation with the National Advisory Board and National Coordinator. The Election Committee shall be activated by the current National Executive Committee 90 days prior to the end of the term of the outgoing administration.
- ii. EC shall request respective zonal vice presidents to submit list of candidates for National Council from their respective zones as per the strength of the current membership. If the number of candidates from each zone are equivalent to the allowed numbers from the respective zone, the candidates will be elected unopposed otherwise an election shall be conducted among the eligible voting members of that zone.
- iii. EC will first try a consensus approach before proceeding to initiate election process
- iv. The election by the EC will be conducted by generating an electronic ballot paper having the names of all the candidates from the respective zone. The ballot papers will be emailed / mailed to all valid voting members in the respective zones. The voters may send the ballots containing their choices to the 3 presiding officers of EC by email or regular mail by the due date. This entire process shall be completed no later than November 10 of the election year.
- v. EC will validate the votes, count the votes and publish the results via email/mail to all voters. Upon request for a recount of any one or more of the contestants, EC shall recount the ballots and publish the results. This entire procedure shall be completed no later than November 15<sup>th</sup> of the election year.
- vi. The incoming new NC shall be elected 45 days prior to the end of the term of the incumbent administration.

### **VIII. Election process for the President-Elect:**

- vii. EC shall notify all National Council members by email or by regular mail the election schedule and solicit nominations for President-Elect. A nomination form will be provided by EC. The nomination form shall be duly signed by one proposing and one seconding member of the National Council along with that of the nominee himself (Electronic signatures are accepted). The nominee must have served at least one full term as an officer in the National Executive Committee. Additionally, the nominee shall send his/her relevant bio-data, vision and goals statement to the EC. The EC shall scrutinize the nominations, validate the nominations and inform the list of candidates, their bio-data, to all the members of NC via email/mail. This process shall be conducted by EC within 15 days after NC election and no later than Nov 30th of the election year.
- viii. If more than one valid nomination is received, NC members shall try to evolve a consensual candidate. If the consensus is not reached, election shall be conducted by the EC by generating electronic ballot paper. NC members may send the ballots containing their choice to the 3 presiding officers of EC by email or regular mail by the due date. This entire process shall be completed no later than November 30 of the election year.
- ix. EC will validate the votes, count the votes and publish the results via email/mail to all the NC members. Upon request for a recount of any one or more of the contestants, EC shall recount the ballots and publish the results. This entire procedure shall be completed no later than December 10<sup>th</sup> of the election year.
- x. All members of NC shall be entitled to vote in the election of the new President-Elect. A member of the Election Committee shall not be eligible to become a candidate for President-Elect. President-Elect assumes the responsibilities along with incoming President from January 1<sup>st</sup> of the first of the two years term. President shall constitute the new National Executive Committee as per the constitution.
- xi. The incoming President-Elect shall be elected 20 days prior to the end of the term of the incumbent administration.

### **IX. Constitution of the NEC:**

The President shall appoint (after following guidelines stated here above) the new Officers from the newly elected NC within the 20-day period prior to assuming the office of the President.

### **X. Amendment of the Bylaws**

Bylaws can be amended by a two-third (2/3) vote of the National Council and participation by a minimum of 50% of the members of the National Council.